

Order

Michigan Supreme Court
Lansing, Michigan

December 5, 2007

Clifford W. Taylor,
Chief Justice

134912 & (69)

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellant/
Cross-Appellee,

v

SC: 134912
COA: 264175
Oakland CC: 2004-197438-FC

JOSEPH WELLS STAPLETON,
Defendant-Appellee/
Cross-Appellant.

On order of the Court, the application for leave to appeal the July 31, 2007 judgment of the Court of Appeals and the application for leave to appeal as cross-appellant are considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REVERSE the judgment of the Court of Appeals for the reasons stated in the Court of Appeals dissenting opinion, and we REMAND this case to the Court of Appeals for consideration of the defendant's remaining issues.

CAVANAGH and KELLY, JJ., would deny leave to appeal.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

December 5, 2007

Corbin R. Davis

Clerk